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8 UNITED STATES DISTRICT COURT
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10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

12 TAMIM ABDULFARID,
13
14 Plaintiff,

15 v.

16 JEFFERSON B. SESSIONS, U.S. Attorney
General; ELAINE DUKE, Acting Secretary of
Department of Homeland Security; ROBERT M.
17 COWAN, Director of the National Benefit Center,
U.S. Citizenship and Immigration Services,
18
19 Defendants.
20
21

)
) Case No. 17-cv-04496 KAW
)

) **JOINT STIPULATION OF DISMISSAL**
) **PURSUANT TO FEDERAL RULE OF**
) **CIVIL PROCEDURE 41 AND [PROPOSED]**
) **ORDER**

Pursuant to Federal Rule of Civil Procedure 41, the parties, Defendants Jefferson B. Sessions, U.S. Attorney General; Elaine Duke, Acting Secretary of Department of Homeland Security, and Robert M. Cowan, Director of the National Benefit Center, U.S. Citizenship & Immigration Services (“USCIS”), (collectively, “Defendants”), and Plaintiff Tamim Abdulfarid, by and through their respective counsel, stipulate to DISMISS Plaintiff’s complaint. The parties state as follows:

1. On August 7, 2017, Plaintiff filed his complaint in this immigration case seeking relief under the Administrative Procedure Act, 5 U.S.C. § 701 *et seq.*;

2. On or about October, 2 2017, Plaintiff was issued a Notice to Appear (“NTA”) by the Department of Homeland Security;

3. Accordingly, Plaintiff has agreed to refrain from pursuing this litigation, as the NTA has initiated a case in which Plaintiff can pursue his remedies in Immigration Court.

THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff and Defendants that this case is DISMISSED. Each party agrees to pay its own fees and costs associated with this case.

SO STIPULATED.

Dated: November 8, 2017

Respectfully submitted,

BRIAN J. STRETCH
United States Attorney

/s/ Julie Bibb Davis
Julie Bibb Davis
Assistant United States Attorney

Counsel for Defendants

Dated: November 8, 2017

/s/ Wahida Noorzad
Wahida Noorzad
39111 Paseo Padre Parkway, Suite 2017
Fremont, California 94538

Counsel for Plaintiff

ECF ATTESTATION

In accordance with Civil Local Rule 5(i)(3), I, Julie Bibb Davis, attest that I have obtained concurrence in the filing of this document from the other signatory listed here.

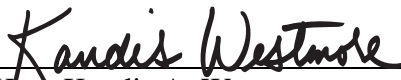
JOINT STIPULATION OF DISMISSAL PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41 AND
[PROPOSED] ORDER
C 17-04496 KAW

1
2 **[PROPOSED] ORDER**

3 Pursuant to Federal Rule of Civil Procedure 41, and stipulation of the parties, this case is
4 DISMISSED.

5 IT IS SO ORDERED.

6
7 DATED: 11/7/17


Hon. Kandis A. Westmore
United States Magistrate Judge